

BEFORE THE BOARD OF MEDICAL EXAMINERS  
DEPARTMENT OF LABOR AND INDUSTRY  
STATE OF MONTANA

In the matter of the proposed amendment ) NOTICE OF PUBLIC HEARING  
of ARM 24.156.2701 definitions and ) ON PROPOSED AMENDMENT  
24.156.2771 scope of practice, pertaining )  
to emergency medical technicians )

TO: All Concerned Persons

1. On March 2, 2007, at 9:00 a.m., a public hearing will be held in room 489, 301 South Park Avenue, Helena, Montana to consider the proposed amendment of the above-stated rules.

2. The Department of Labor and Industry (department) will make reasonable accommodations for persons with disabilities who wish to participate in this public hearing or need an alternative accessible format of this notice. If you require an accommodation, contact the Board of Medical Examiners (board) no later than 5:00 p.m., on February 23, 2007, to advise us of the nature of the accommodation that you need. Please contact Jeannie Worsch, Board of Medical Examiners, 301 South Park Avenue, P.O. Box 200513, Helena, Montana 59620-0513; telephone (406) 841-2360; Montana Relay 1-800-253-4091; TDD (406) 444-2978; facsimile (406) 841-2305; e-mail dlibsmed@mt.gov.

3. The rules proposed to be amended provide as follows, stricken matter interlined, new matter underlined:

24.156.2701 DEFINITIONS For purposes of the rules set forth in this subchapter, the following definitions apply:

(1) through (15) remain the same.

(16) through (19) remain the same but are renumbered (17) through (20).

~~(20)~~ (16) "~~Service medical~~ Medical director" means an unrestricted Montana licensed physician or physician assistant-certified who is responsible professionally and legally for ~~overall medical care provided by a~~ providing medical oversight to a licensed EMT-service and/or for the training provided in an approved program/course, ~~including all EMTs on the service or in training.~~

(21) remains the same.

AUTH: 37-3-203, 50-6-203, MCA

IMP: 50-6-203, MCA

REASON: The board determined it is reasonably necessary to amend the definition of medical director to better delineate the requirement for medical oversight of EMTs. The original intent of the rule remains unchanged, but clarification is necessary to further define the role of the medical director and the responsibility of

medical oversight of emergency medical service providers. Terminology is being updated to coincide with currently used terms in the health care industry.

24.156.2771 SCOPE OF PRACTICE (1) An EMT licensed or endorsed at the BLS level may perform any acts allowed within the EMT's licensure or endorsement level when:

(a) operating within the most current version of the Montana statewide EMT protocols; or

(b) under the medical oversight from a medical director who is taking responsibility for the EMT; or

(c) participating in a continuing education program.

(4) (2) An EMT licensed or endorsed at the ALS level and with the oversight of a medical director beyond the EMT-B level may perform any acts allowed within the EMT's licensure level or endorsement level when:

(a) under the direct observation of an EMS medical oversight from a medical director who is taking responsibility for the EMT; or

(b) operating under on a Montana licensed EMS service, licensed at or above the level of the individual and functioning under the formal, written board-approved standing orders or protocols; or

(c) remains the same.

(2) remains the same but is renumbered (3).

(3) (4) Except as provided in (2) (3), an EMT may not perform any acts that are beyond the EMT's level of licensure or endorsement.

(4) and (5) remain the same but are renumbered (5) and (6).

AUTH: 50-6-203, MCA

IMP: 37-1-131, 50-6-203, MCA

REASON: It is reasonable and necessary to amend this rule as board staff discovered that the scope of practice for EMTs at the basic life support level had been inadvertently omitted from the scope of practice rule. The amendment delineates the acts allowed for basic life support EMTs and also clarifies advanced life support levels with regard to medical oversight. The original intent of the rule remains unchanged, but clarification within the rule is necessary to further define the roles, levels, and medical oversight of these two levels of emergency medical service providers.

4. Concerned persons may present their data, views, or arguments either orally or in writing at the hearing. Written data, views, or arguments may also be submitted to the Board of Medical Examiners, 301 South Park Avenue, P.O. Box 200513, Helena, Montana 59620-0513, by facsimile to (406)-841-2305, or by e-mail to dlibsmed@mt.gov, and must be received no later than 5:00 p.m., March 12, 2007.

5. An electronic copy of this Notice of Public Hearing is available through the department and board site on the World Wide Web at [www.medicalboard.mt.gov](http://www.medicalboard.mt.gov). The department strives to make the electronic copy of this Notice conform to the

official version of the Notice, as printed in the Montana Administrative Register, but advises all concerned persons that in the event of a discrepancy between the official printed text of the Notice and the electronic version of the Notice, only the official printed text will be considered. In addition, although the department strives to keep its web site accessible at all times, concerned persons should be aware that the web site may be unavailable during some periods, due to system maintenance or technical problems, and that technical difficulties in accessing or posting to the e-mail address do not excuse late submission of comments.

6. The board maintains a list of interested persons who wish to receive notices of rulemaking actions proposed by this board. Persons who wish to have their name added to the list shall make a written request which includes the name and mailing address of the person to receive notices and specifies that the person wishes to receive notices regarding all Board of Medical Examiners administrative rulemaking proceedings or other administrative proceedings. Such written request may be mailed or delivered to the Board of Medical Examiners, 301 South Park Avenue, P.O. Box 200513, Helena, Montana 59620-0513, faxed to the office at (406) 841-2305, e-mailed to [dlibsdmed@mt.gov](mailto:dlibsdmed@mt.gov), or made by completing a request form at any rules hearing held by the agency.

7. The bill sponsor notice requirements of 2-4-302, MCA, do not apply.

8. Anne O'Leary, attorney, has been designated to preside over and conduct this hearing.

BOARD OF MEDICAL EXAMINERS  
MICHAEL D. LAPAN, DPM, PRESIDENT

/s/ DARCEE L. MOE  
Darcee L. Moe  
Alternate Rule Reviewer

/s/ KEITH KELLY  
Keith Kelly, Commissioner  
DEPARTMENT OF LABOR AND INDUSTRY

Certified to the Secretary of State January 29, 2007